

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

<p>IN RE:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>THE COMMONWEALTH OF PUERTO RICO, et al., THE EMPLOYEES' RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO AND THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY</p> <p style="text-align: center;">Debtors</p>	<p style="text-align: center;">PROMESA TITLE III</p> <p>Case No. 17-BK-3283 (LTS)</p>
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**MARUZ REAL ESTATE CORP.'S MOTION FOR JOINDER TO
SUCESIÓN PASTOR MANDRY MERCADO'S, EXCEPTING JAVIER
MANDRY MERCADO, OBJECTION TO "SEVENTH AMENDED TITLE III
JOINT PLAN OF ADJUSTMENT OF THE COMMONWEALTH OF
PUERTO RICO, ET. AL. FILED AT DOCKET NUMBER 17998**

TO THE HONORABLE COURT:

COMES NOW, MARUZ REAL ESTATE CORP., ("**Maruz**"), through the undersigned counsel to hereby submit this Joinder (this "Joinder") to the Objection to the Seventh Amended Title III Joint Plan Of Adjustment Of The Commonwealth Of Puerto Rico, Et. Al, filed by Sucesión Pastor Mandry Mercado, excepting Javier Mandry Mercado, registered at Docket No. 17998.

1. **Maruz** is an entity authorized to do business within the Commonwealth of Puerto Rico.

2. On May 22, 2018, in the Commonwealth Title III PROMESA proceeding, **Maruz** filed Proof of Claim No. 18296 in the amount of \$2,244,000.00 as a claim protected under the Takings Clause of the Constitution of the United States and the Constitution of the Commonwealth of Puerto Rico. The proof of claim stands as a valid claim and has not been objected to by the Title III Debtor.

3. The claim derives from a judgment issued by the Puerto Rico Court of First Instance in case number K AC 2007-2202. The Judgment was entered in favor of **Maruz** on March 9th, 2016, ordering the Commonwealth to pay **Maruz** just compensation in the amount of \$2,244,000.00 for the taking of **Maruz's** real property.

4. On the date the Title III proceeding was filed, the Judgment was enforceable, but the filing of the Commonwealth's case stayed all collection efforts and forced **Maruz** to wait for what is now the Seventh Plan of Readjustment.

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2. **Maruz** is a creditor in the Commonwealth Title III case. On May 22, 2018, **Maruz** filed Proof of Claim No. 18040 in the amount of \$73,100,000.00 as a taking of property and/or inverse condemnation claim protected under the Takings Clause under the Constitution of the United States and the Constitution of the Commonwealth of Puerto Rico.

3. **Maruz** joins the legal grounds and arguments discussed in the Objection filed by Sucesión Pastor Mandry Mercado filed at Docket No. 17998, as well as the relief requested therein.

4. **Maruz** joins the Objection and contends the confirmation of the Seventh Plan of Readjustment should be denied because the plan fails to correctly classify the eminent domain and inverse condemnation creditors; fails to recognize these claims as nondischargeable and forsakes the requirements under the Fifth Amendment of the Constitution of the United States.

5. **Maruz** joins Sucesión Pastor Mandry Mercado under all legal grounds argued in the Objection.

6. **Maruz** reserves its right to raise additional arguments in support of the Objection to Confirmation.

WHEREFORE, Maruz Real Estate Corp. respectfully requests that the Court GRANT this Joinder and deny the confirmation of the Seventh Plan of Readjustment proposed by the Commonwealth under Title III of PROMESA.

CERTIFICATE OF SERVICE

I hereby certify that, on October 19, 2021, I caused the preceding document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants in this case.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 19th day of October 2021.

COUNSEL FOR MARUZ REAL ESTATE CORP._

s/ Alexis Fuentes-Hernández, Esq.

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